

# United States District Court

for the  
Eastern District of Missouri

United States of America  
v.

Curtis Gibbs

Case No: 4:01CR532

USM No: 28448-044

Date of Previous Judgment: May 24, 2002

(Use Date of Last Amended Judgment if Applicable)

Terrance Niehoff

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the Term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 140 months is reduced to 120 months

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 28

Amended Offense Level: 26

Criminal History Category: VI

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Previous Guideline Range: 140 to 175 months

Amended Guideline Range: 120 to 150 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

### III. ADDITIONAL COMMENTS

This reduction applies only to Count I. It does not affect the sentence of 120 months on Count II which runs concurrently with the sentence on Count I.

Except as provided above, all provisions of the judgment dated May 24, 2002 shall remain in effect.

IT IS SO ORDERED

Order Date: 5/19/08

  
Judge's Signature

Effective Date: 5/29/08  
(if different from order date)

Jean C. Hamilton, United States District Judge  
Printed Name and title